



Docket No. 0575/49034-AA-PCT-US/JPW/AJM/MVM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Ira Tabas, Scott L. Schissel and Kevin Jon Williams
 Serial No. : 10/646,412 Examiner: C. Tate
 Filed : August 22, 2003 Group Art Unit: 1654
 For : Method for Treating a Subject Suffering from Conditions
Associated with an Extracellular Zinc Sphingomyelinase

Mail Stop Amendment
 COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, VA 22313-1450

Date: December 30, 2004

Sir:

Transmitted herewith is an amendment to the above-identified application.

X Small entity status of this application under 37 C.F.R. §1.9 and §1.27 has been previously established.

 A verified statement to establish small entity status under 37 C.F.R. §1.9 and §1.27 is enclosed.

X No additional fee is required.

The filing fee is calculated as follows:

| | Number after Amendment | Highest Number Previously Paid For ¹ | Number of Extra Claims Presented | RATE | | | FEE | |
|--|------------------------|---|----------------------------------|----------------------|--------------|---|--------------|--------------|
| | | | | Small Entity | Other Entity | | Small Entity | Other Entity |
| Total Claims | 7 - | * 20 = | *** 0 X | \$25 | \$50 | = | 0 | |
| Independent Claims | 7 - | ** 7 = | *** 0 X | \$100 | \$200 | = | 0 | |
| Multiple Dependent Claim(s) Presented For First Time <u> </u> Yes <u>X</u> No | | | | \$180 | \$360 | = | 0 | |
| | | | | TOTAL ADDITIONAL FEE | | | \$ 0 | |

- ¹ The "HIGHEST NUMBER PREVIOUSLY PAID FOR" (Total or Independent) is the highest of the "NUMBER AFTER AMENDMENT" in any prior amendment or the number of claims originally filed.
- * If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.
 - ** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.
 - *** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than "0", write "0".

Applicant(s): Ira Tabas, et al.
Serial No. : 10/646,412
Filed : August 22, 2003
Amendment Transmittal Letter
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The following are also enclosed:

- ☒ Two copies of this Amendment Transmittal Letter
☒ Return Receipt Postcard
☐ An Information Disclosure Statement, including Form PTO-1449
(Copies of citations included: Yes ☐ No ☐
and a fee of \$ ☐ included)
☐ A Petition for an Extension of Time, including a fee of
\$ ☐ for a Petition for ☐ Month(s) Extension of Time
☐ Other (identify): ☐
☐
☐

THE TOTAL FEE DUE IS \$ 0.

- ☐ A check in the amount of \$ ☐ is enclosed.
☐ Please charge Deposit Account No. ☐ in the amount of
\$ ☐.

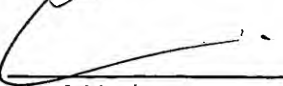
☒ The Commissioner is hereby authorized to charge any additional fees
required or credit any overpayment to Deposit Account No. 03-3125
as follows:

- ☒ Fees under 37 C.F.R. \$1.16 for the presentation of extra claims
☒ Patent application processing fees under 37 C.F.R. \$1.17

Respectfully submitted,

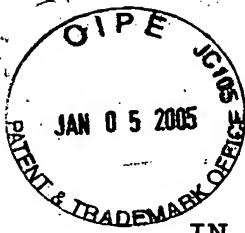


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Alan J. Morrison
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12/30/04
Date

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IFW

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ira Tabas et al.
Serial No. : 10/646,412
Filing Date : August 22, 2003
For : METHOD FOR TREATING A SUBJECT SUFFERING FROM
CONDITIONS ASSOCIATED WITH AN EXTRACELLULAR
ZINC SPHINGOMYELINASE

1185 Avenue of the Americas
New York, New York 10036
December 30, 2004

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Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**AMENDMENT IN RESPONSE TO DECEMBER 2, 2004
NOTICE OF NON-COMPLIANT AMENDMENT (37 C.F.R. 1.121)**

This Amendment is submitted in response to a January 24, 2002 Notice of Non-Compliant Amendment (37 C.F.R. 1.121) issued by the United States Patent and Trademark Office in connection with the above-identified application. A copy of the Notice is attached hereto as Exhibit A. The Notice provides a one-month period for filing a response. Therefore, a response to the December 2, 2004 Notice is due January 2, 2005. Accordingly, this Amendment is being timely filed.

Please amend the subject application as follows: